

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CHARLES RICHARDS AND JAY  
GEYWITS, Individually and on Behalf  
of All Others Similarly Situated,  
as Class Representatives,

Plaintiffs,

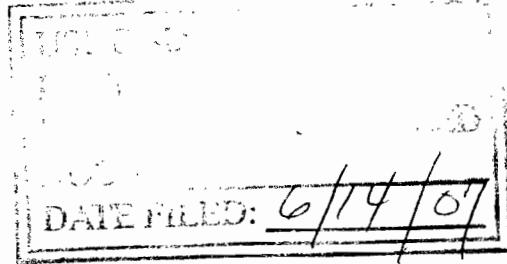
-against-

LANG INDUSTRIES, INC., WORLD  
CLASS ON SITE MANAGEMENT,  
LLC, AND LANG WASTE  
SERVICES CORP.,

Defendants.

-----X  
**SCHEDULING ORDER**

Case No.: 07-CV-3350  
JUDGE SCHEINDLIN



WHEREAS, the Court issued an Order for a Conference in accordance with Fed. R. Civ. P. 16(b) on June 13, 2007 (the "Order"); and

WHEREAS, the Order requires that the parties jointly prepare and sign a proposed scheduling order containing certain information;

NOW, THEREFORE, the parties hereby submit the following information as required by the Order:

(1) the date of the conference and the appearances for the parties;

June 13, 2007

Kathy Speaker MacNett, Esq. (KM7260) (By Phone)  
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Pro Hac Vice  
Attorneys for Defendants  
17 South Second Street, 6th Floor  
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(717) 233-1000

John Ho, Esq. (7831) (In Person)  
Bond, Schoeneck & King, PLLC  
Attorneys for Defendants  
330 Madison Avenue  
New York, NY 10017-5001

(646) 253-2320

Steven Bennett Blau (SB4063) (In Person)  
 Blau & Brown, P.C.  
 Attorneys for Plaintiffs  
 54 West 21<sup>st</sup> Street, Suite 1009  
 New York, NY 10010  
 (212) 725-7272

(2) a concise statement of the issues as they then appear;

- a. Whether the defendants violated the Federal Fair Labor Standards Act (FLSA)?
- b. Whether the defendants violated New York Labor Law regarding minimum wage and overtime?
- c. Whether the defendants were unjustly enriched by either of the above?
- d. Whether a class action pursuant to Rule 23 is appropriate for any portion of this case?
- e. Whether an action under Section 216 is appropriate for the FLSA claims?
- f. Whether the defendants prevail on one or more of the affirmative defenses?

(3) a schedule including:

- a. the names of the persons to be deposed and a schedule of planned depositions;

NAME

DATE

Edward Lang, President  
 Lang Industries, Inc.  
 World Class On Site Management LLC  
 Lang Waste Services, Corp.  
 67 Arena Court  
 Narrowsburg, NY 12764

To Be Determined

Sept/  
 Oct

Patrick Fazio Lang Industries, Inc. Financial Analyst 67 Arena Court Narrowsburg, NY 12764	To Be Determined
Charles Richards Yardley, PA	To Be Determined
Jay Geywits Sydney, NY	To Be Determined
Any Other Plaintiff Certified or Requested for Certification	To Be Determined
Other Persons as Identified and Agreed by the Parties	To Be Determined

Sept /  
Oct

b. a schedule for the production of documents;

August 15, 2007

c. date by which (i) each expert's reports will be supplied to the adverse side and (ii) each expert's deposition will be completed;

December 30, 2007

~~November~~

d. time when discovery is to be completed;

January 31, 2008

~~November 30, 2007~~

e. the date by which plaintiff will supply its pre-trial order matters to defendant;

February 28, 2008

~~To be determined~~

f. the date by which the parties will submit a pre-trial order in a form conforming with the Court's instructions together with trial briefs and either (1) proposed findings of fact and conclusions of law for a non-jury trial, or (2) proposed voir dire questions and proposed jury instructions, for a jury trial; and

March 31, 2008

~~To be determined~~

g. A final pre-trial conference pursuant to Fed. R. Civ. P. 16(d), will be held on Dec 14 at 9:30

(4) a statement of any limitations to be placed on discovery, including any protective or confidentiality orders;

Protective order on identity of clients and pricing.

(5) a statement of those discovery issues, if any, on which counsel, after a good faith effort, were unable to reach an agreement;

To be determined as the lawsuit progresses.

(6) anticipated fields of expert testimony, if any;

Economic expert on Damages.

(7) anticipated length of trial and whether to court or jury;

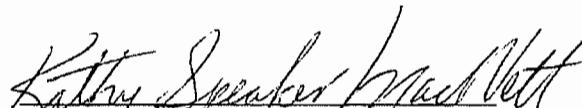
Four (4) days unless Class is certified;

Eight (8) days if Class is certified.

(8) The Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference of when justice so requires;

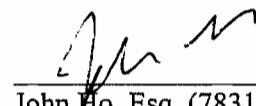
(9) names, addresses, phone numbers and signatures of counsel;

Dated: June 13, 2007



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Skarlatos & Zonarich LLP  
Pro Hac Vice  
Attorneys for Defendants  
17 South Second Street, 6th Floor  
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Dated: June 13, 2007



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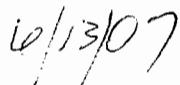
Steven Bennett Blau (SB4063)  
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New York, NY 10010  
(212) 725-7272

SO ORDERED:



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SHIRA A. SCHEINDLIN  
U.S.D.J.



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**CHARLES RICHARDS and JAY GEYWITS,  
Individually and on Behalf of All Others  
similarly situated, as Class  
Representatives,**

**07-CV-3350 (SAS)**

**Plaintiffs,**

**-against-**

**LANG INDUSTRIES, INC., WORLD  
CLASS ON SITE MANAGEMENT, LLC  
and LANG WASTE SERVICES CORP.,**

**Defendants.**

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**SCHEDULING ORDER**

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